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H. R. 2811

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Read twice and referred to the Committee on Commerce, Science, and
Transportation

AN ACT

To authorize certain atmospheric, weather, and satellite programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Oceanic and
5 Atmospheric Administration Atmospheric and Satellite
6 Program Authorization Act of 1993”.

1 **TITLE I—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 101. NATIONAL WEATHER SERVICE.**

4 (a) OPERATIONS AND RESEARCH.—There are au-
5 thorized to be appropriated to the Secretary of Commerce
6 (in this Act referred to as the “Secretary”) to enable the
7 National Oceanic and Atmospheric Administration to
8 carry out the operations and research duties of the Na-
9 tional Weather Service, \$473,256,000 for fiscal year 1994
10 and \$492,185,000 for fiscal year 1995. Such duties in-
11 clude meteorological, hydrological, and oceanographic pub-
12 lic warnings and forecasts, as well as applied research in
13 support of such warnings and forecasts.

14 (b) SYSTEMS ACQUISITION.—There are authorized to
15 be appropriated to the Secretary to enable the National
16 Oceanic and Atmospheric Administration to carry out the
17 public warning and forecast systems duties of the National
18 Weather Service, \$76,299,000 for fiscal year 1994 and
19 \$14,600,000 for fiscal year 1995. Such duties include the
20 development, acquisition, and implementation of major
21 public warning and forecast systems. None of the funds
22 authorized under this subsection shall be used for the pur-
23 poses for which funds are authorized under section 102(b)
24 of the National Oceanic and Atmospheric Administration
25 Authorization Act of 1992 (Public Law 102–567). None

1 of the funds authorized under this subsection for fiscal
2 year 1995 shall be used for the purposes for which funds
3 are authorized under subsections (c) and (d) of this sec-
4 tion. No funds may be expended for Next Generation
5 Doppler Weather Radar (NEXRAD) until the require-
6 ments of paragraph (2)(A) or (B) of such section 102(b)
7 have been fulfilled by the Secretary. None of the funds
8 authorized by such section 102(b) shall be expended for
9 a particular NEXRAD installation unless—

10 (1) it is identified as a National Weather Serv-
11 ice NEXRAD installation in the National Implemen-
12 tation Plan for modernization of the National
13 Weather Service for fiscal year 1994, required under
14 section 703 of the National Oceanic and Atmos-
15 pheric Administration Authorization Act of 1992
16 (Public Law 102–567);

17 (2) the Secretary, in consultation with the Mod-
18 ernization Transition Committee established under
19 section 707 of the National Oceanic and Atmos-
20 pheric Administration Authorization Act of 1992,
21 has made a determination of technical and pro-
22 grammatic necessity with respect to such installation
23 and a period of 60 legislative days after the trans-
24 mittal to the Congress of such determination, or the

1 period between such transmittal and the next Octo-
2 ber 1, whichever period is longer, has passed; or

3 (3) it is to be used only for spare parts, not as
4 an installation at a particular site.

5 For purposes of this subsection, the term “legislative day”
6 means any day on which either House of Congress is in
7 session.

8 (c) ASOS COMPLETE PROGRAM AUTHORIZATION.—

9 (1) Except as provided in paragraph (2), there are author-
10 ized to be appropriated to the Secretary for all fiscal years
11 beginning after September 30, 1994, an aggregate of
12 \$30,808,000, to remain available until expended, to com-
13 plete the acquisition and deployment of—

14 (A) the Automated Surface Observing System
15 and related systems, including multisensor and
16 backup arrays for National Weather Service sites at
17 airports; and

18 (B) Automated Meteorological Observing Sys-
19 tem and Remote Automated Meteorological Observ-
20 ing System replacement units,

21 and to cover all associated activities, including program
22 management and operations and maintenance through
23 September 30, 1996.

24 (2) No funds are authorized to be appropriated for
25 any fiscal year under paragraph (1) unless, within 60 days

1 after the submission of the President's budget request for
2 such fiscal year, the Secretary—

3 (A) certifies to the Congress that—

4 (i) the systems meet the technical perform-
5 ance specifications included in the system con-
6 tract as in effect on February 20, 1991;

7 (ii) the systems can be fully deployed,
8 sited, and operational without requiring further
9 appropriations beyond amounts authorized
10 under paragraph (1); and

11 (iii) the Secretary does not foresee any
12 delays in the systems deployment and oper-
13 ations schedule; or

14 (B) submits to the Congress a report which de-
15 scribes—

16 (i) the circumstances which prevent a cer-
17 tification under subparagraph (A);

18 (ii) remedial actions undertaken or to be
19 undertaken with respect to such circumstances;

20 (iii) the effects of such circumstances on
21 the systems deployment and operations schedule
22 and systems coverage; and

23 (iv) a justification for proceeding with the
24 program, if appropriate.

1 (d) AWIPS COMPLETE PROGRAM AUTHORIZA-
2 TION.—(1) Except as provided in paragraph (2), there are
3 authorized to be appropriated to the Secretary for all fiscal
4 years beginning after September 30, 1994, an aggregate
5 of \$315,887,000, to remain available until expended, to
6 complete the acquisition and deployment of the Advanced
7 Weather Interactive Processing System and NOAA Port
8 and to cover all associated activities, including program
9 management and operations and maintenance through
10 September 30, 1999.

11 (2) No funds are authorized to be appropriated for
12 any fiscal year under paragraph (1) unless, within 60 days
13 after the submission of the President's budget request for
14 such fiscal year, the Secretary—

15 (A) certifies to the Congress that—

16 (i) the systems meet the technical perform-
17 ance specifications included in the system con-
18 tract as in effect on January 5, 1993;

19 (ii) the systems can be fully deployed,
20 sited, and operational without requiring further
21 appropriations beyond amounts authorized
22 under paragraph (1); and

23 (iii) the Secretary does not foresee any
24 delays in the systems deployment and oper-
25 ations schedule; or

1 (B) submits to the Congress a report which de-
2 scribes—

3 (i) the circumstances which prevent a cer-
4 tification under subparagraph (A);

5 (ii) remedial actions undertaken or to be
6 undertaken with respect to such circumstances;

7 (iii) the effects of such circumstances on
8 the systems deployment and operations schedule
9 and systems coverage; and

10 (iv) a justification for proceeding with the
11 program, if appropriate.

12 (e) CONSTRUCTION OF WEATHER FORECAST OF-
13 FICES.—There are authorized to be appropriated to the
14 Secretary to enable the National Oceanic and Atmospheric
15 Administration to carry out construction, repair, and
16 modification activities relating to new and existing weath-
17 er forecast offices, \$62,784,000 for fiscal year 1994 and
18 \$14,739,000 for fiscal year 1995. Such activities include
19 planning, design, and land acquisition related to such of-
20 fices.

21 **SEC. 102. ATMOSPHERIC RESEARCH.**

22 (a) CLIMATE AND AIR QUALITY RESEARCH.—

23 (1) IN GENERAL.—There are authorized to be
24 appropriated to the Secretary to enable the National
25 Oceanic and Atmospheric Administration to carry

1 out its climate and air quality research duties,
2 \$105,922,000 for fiscal year 1994 and
3 \$138,737,000 for fiscal year 1995. Such duties in-
4 clude interannual and seasonal climate research and
5 long-term climate and air quality research.

6 (2) CLIMATE AND GLOBAL CHANGE.—Of the
7 sums authorized under paragraph (1), \$66,902,000
8 for fiscal year 1994 and \$84,573,000 for fiscal year
9 1995 are authorized to be appropriated for the pur-
10 poses of studying climate and global change, includ-
11 ing global observations, monitoring, and data and in-
12 formation management relating to the study of
13 changes in the Earth's climatic system, and fun-
14 damental research on oceanic and atmospheric proc-
15 esses critical to climate prediction and diagnostics.

16 (b) ATMOSPHERIC PROGRAMS.—There are author-
17 ized to be appropriated to the Secretary to enable the Na-
18 tional Oceanic and Atmospheric Administration to carry
19 out its atmospheric research duties, \$42,103,000 for fiscal
20 year 1994 and \$52,980,000 for fiscal year 1995. Such du-
21 ties include research for developing improved prediction
22 capabilities for atmospheric processes, as well as solar-ter-
23 restrial research and services.

1 **SEC. 103. NATIONAL ENVIRONMENTAL SATELLITE, DATA,**
2 **AND INFORMATION SERVICE.**

3 (a) SATELLITE OBSERVING SYSTEMS.—There are
4 authorized to be appropriated to the Secretary to enable
5 the National Oceanic and Atmospheric Administration to
6 carry out its satellite observing systems duties,
7 \$206,383,000 for fiscal year 1994 and \$217,710,000 for
8 fiscal year 1995, except that no funds may be expended
9 for Geostationary Operational Environmental Satellite
10 until the requirements of section 105(d)(2) (A) or (B) of
11 the National Oceanic and Atmospheric Administration Au-
12 thorization Act of 1992 (Public Law 102–567) have been
13 fulfilled by the Secretary. Such duties include spacecraft
14 procurement, launch, and associated ground station sys-
15 tems involving polar orbiting and geostationary environ-
16 mental satellites, as well as the operation of such satellites.
17 None of the funds authorized under this subsection shall
18 be used for the purposes for which funds are authorized
19 under section 105(d) of the National Oceanic and Atmos-
20 pheric Administration Authorization Act of 1992 (Public
21 Law 102–567). None of the funds authorized under this
22 subsection for fiscal year 1995 shall be used for the pur-
23 poses for which funds are authorized under subsection (b)
24 of this section.

25 (b) POES COMPLETE PROGRAM AUTHORIZATION.—
26 (1) Except as provided in paragraph (2), there are author-

1 ized to be appropriated to the Secretary for all fiscal years
2 beginning after September 30, 1994, an aggregate of
3 \$196,343,000, to remain available until expended, to com-
4 plete the procurement of Polar Orbiting Environmental
5 Satellites J, K, L, and M, and the procurement of the
6 launching and supporting ground systems of such sat-
7 ellites.

8 (2) No funds are authorized to be appropriated for
9 any fiscal year under paragraph (1) unless, within 60 days
10 after the submission of the President's budget request for
11 such fiscal year, the Secretary—

12 (A) certifies to the Congress that—

13 (i) the satellite instruments meet the tech-
14 nical performance specifications included in the
15 satellite contracts as in effect on July 27, 1988;

16 (ii) the procurements can be completed
17 without requiring further appropriations beyond
18 amounts authorized under paragraph (1); and

19 (iii) the Secretary does not foresee any
20 gaps in two-satellite service operations resulting
21 from nonperformance of the satellite contract;

22 or

23 (B) submits to the Congress a report which de-
24 scribes—

- 1 (i) the circumstances which prevent a cer-
2 tification under subparagraph (A);
3 (ii) remedial actions undertaken or to be
4 undertaken with respect to such circumstances;
5 (iii) the effects of such circumstances on
6 the launch schedule and satellite coverage; and
7 (iv) a justification for proceeding with the
8 program, if appropriate.

9 (3) No funds for Polar Orbiting Environmental Sat-
10 ellites, other than for Polar Orbiting Environmental Sat-
11 ellites J, K, L, and M, are authorized to be appropriated
12 under subsection (a) unless the Director of the Office of
13 Science and Technology Policy submits an implementation
14 plan for a single operational polar environmental and
15 weather satellite system and the policy for polar satellite
16 system convergence with the European Organization for
17 the Exploitation of Meteorological Satellites
18 (EUMETSAT).

19 (c) ENVIRONMENTAL DATA AND INFORMATION
20 SERVICES.—There are authorized to be appropriated to
21 the Secretary to enable the National Oceanic and Atmos-
22 pheric Administration to carry out its environmental data
23 and information services duties, \$34,068,000 for fiscal
24 year 1994 and \$41,227,000 for fiscal year 1995. Such du-
25 ties include climate data services, geophysical data serv-

1 ices, and environmental assessment and information serv-
2 ices.

3 **SEC. 104. PROGRAM SUPPORT.**

4 (a) ADMINISTRATION AND SERVICES.—There are au-
5 thorized to be appropriated to the Secretary for Adminis-
6 tration and Services, \$73,319,000 for fiscal year 1994 and
7 \$76,252,000 for fiscal year 1995.

8 (b) AIRCRAFT SERVICES.—There are authorized to
9 be appropriated to the Secretary for Aircraft Services and
10 Aircraft Critical Safety and Instrumentation, \$9,495,000
11 for fiscal year 1994 and \$9,875,000 for fiscal year 1995.

12 **SEC. 105. LIMITATION ON APPROPRIATIONS.**

13 Notwithstanding any other provision of law, except
14 as provided in section 101(c) and (d) and section 103(b),
15 no funds are authorized to be appropriated for any fiscal
16 year after fiscal year 1995 for carrying out the programs
17 for which funds are authorized by this Act. This section
18 shall not apply to the programs described in section
19 102(a)(2) or section 104(a).

20 **TITLE II—MISCELLANEOUS**
21 **PROVISIONS**

22 **SEC. 201. STRATEGIC PLAN FOR ENVIRONMENTAL RE-**
23 **SEARCH LABORATORIES.**

24 (a) ASSESSMENT.—The Secretary shall conduct an
25 assessment of the long-term role and mission of the Envi-

1 Environmental Research Laboratories of the National Oceanic
2 and Atmospheric Administration and the relevance of the
3 research conducted therein to issues of global and national
4 importance. In conducting such assessment, the Secretary
5 shall take into consideration—

6 (1) the adequacy of resources provided to sup-
7 port the missions of the Environmental Research
8 Laboratories;

9 (2) the ability of the Environmental Research
10 Laboratories to provide research support for the
11 coastal and ocean management and regulatory re-
12 sponsibilities of the National Oceanic and Atmos-
13 pheric Administration;

14 (3) the capacity of the Environmental Research
15 Laboratories to process and disseminate environ-
16 mental data and information collected and proc-
17 essed, or expected to be collected and processed, by
18 the National Oceanic and Atmospheric Administra-
19 tion and other appropriate Federal departments and
20 agencies;

21 (4) the mission of the Environmental Research
22 Laboratories to provide solar-terrestrial services to
23 the Nation;

1 (5) the ability of the Environmental Research
2 Laboratories to provide continued support for the
3 modernization of weather services;

4 (6) the responsibilities of the Environmental
5 Research Laboratories to monitor, assess, and pre-
6 dict changes in the Earth's climate;

7 (7) the capability of the Environmental Re-
8 search Laboratories to integrate and interpret sci-
9 entific data in order to provide information useful to
10 policy makers for responding to national and global
11 environmental concerns;

12 (8) the operational efficiency and effectiveness
13 of the Environmental Research Laboratories;

14 (9) the interaction of the Environmental Re-
15 search Laboratories with the academic community,
16 including Joint and Cooperative Institutes, and the
17 ability of these interactions to improve the quality
18 and effectiveness of research;

19 (10) the number, location, and geographic dis-
20 tribution of the Environmental Research Labora-
21 tories; and

22 (11) any other issues that the Secretary may
23 identify.

24 (b) COMPREHENSIVE STRATEGIC PLAN.—Not later
25 than 1 year after the date of enactment of this Act, the

1 Secretary shall develop and submit to the Committee on
2 Commerce, Science, and Transportation of the Senate and
3 the Committee on Science, Space, and Technology and the
4 Committee on Merchant Marine and Fisheries of the
5 House of Representatives a comprehensive strategic plan,
6 based on the assessment conducted under subsection (a),
7 to modernize and improve the role and mission of the En-
8 vironmental Research Laboratories of the National Oce-
9 anic and Atmospheric Administration. The assessment
10 conducted under subsection (a) shall be submitted along
11 with such plan.

12 **SEC. 202. HYDROLOGICAL RESEARCH AND FLOOD FORE-**
13 **CAST MODERNIZATION REPORT.**

14 (a) IN GENERAL.—Not later than 6 months after the
15 date of enactment of this Act, the Secretary, in consulta-
16 tion with the heads of other appropriate Federal agencies,
17 shall prepare and submit to the Committee on Commerce,
18 Science, and Transportation of the Senate and the Com-
19 mittee on Science, Space, and Technology of the House
20 of Representatives a report identifying the actions re-
21 quired to improve the hydrological research programs and
22 to modernize the Flood Forecasting System of the Na-
23 tional Weather Service.

24 (b) REPORT CONTENTS.—The report required under
25 subsection (a) shall include consideration of—

15 It is the sense of Congress that any transfers of Na-
16 tional Weather Service employees from field offices neces-
17 sitated by the National Implementation Plan for Mod-
18 ernization of the National Weather Service be carried out
19 in a manner that will not result in the degradation of serv-
20 ices in the service area of such field office.

Attest: DONNALD K. ANDERSON,
Clerk.

By DALLAS L. DENDY, JR.,
Assistant to the Clerk.

HR 2811 RFS——2